

COMMITTEE ON  
ARMED SERVICES  
COMMITTEE ON  
FOREIGN RELATIONSCOMMITTEE ON  
VETERANS' AFFAIRS

JOINT ECONOMIC COMMITTEE

# United States Senate

WASHINGTON, DC 20510-4605

May 15, 2009

The Honorable Daniel Inouye  
Chairman  
Committee on Appropriations  
S 131 The Capitol  
Washington, D.C. 20510

The Honorable Thad Cochran  
Vice Chairman  
Committee on Appropriations  
S 146 A The Capitol  
Washington, D.C. 20510

The Honorable Dianne Feinstein  
Chairwoman  
Subcommittee on Interior, Environment  
and Related Agencies  
SD 131  
Washington, DC 20510

The Honorable Lamar Alexander  
Ranking Member  
Subcommittee on, Interior, Environment  
and Related Agencies  
SH 125  
Washington, DC 20510

Dear Chairman Inouye, Senator Cochran, Senator Feinstein and Senator Alexander:

As you initiate your efforts to draft the Interior, Environment and Related Agencies bill for fiscal year 2010, I respectfully request your consideration of the following projects, listed in alphabetical order by agency. I make these requests jointly with my colleague, Senator Mark R. Warner, who is conveying these requests under separate cover.

These requests are submitted in accordance with the proper constitutional role that Congress performs in the federal appropriations process. My staff and I have examined these projects for the Commonwealth of Virginia based on two principles: first, they must represent a wise and prudent investment of tax dollars; second, requests for such projects are considered in an open, transparent manner.

## Environmental Protection Agency

City of Bedford, Sanitary Sewer Rehabilitation; Bedford, Virginia; \$1,200,000

- The largest portion of the project is to replace a fifty year old wastewater sewer line which was originally installed to provide service to housing for U.S. Air Force personnel and their families. The line has deteriorated badly and is in need of replacement. Sewage leaks from this line enter into streams which drain into the James River and ultimately the Chesapeake Bay. The Water Treatment line will allow for proper sanitary handling of the effluent produced from producing potable water for the City and surrounding area. The remainder of the project is for sanitary sewer line replacement in the City where severe inflow and infiltration problems have been identified. The problem periodically causes overflows and surcharges in the system. The overflow enters into various streams which drain into the James River.

City of Hopewell, Regional Wastewater Treatment Facility; Hopewell, Virginia; \$1,000,000

- Funding will be used for wastewater infrastructure improvements which include: upgrades to and expansion of the City's regional wastewater treatment facility; relocation of primary plant; and installation of new wastewater line to Fort Lee.

The City's Regional Wastewater Treatment Facility is a 50 million gallon per day plant designed to treat the combined industrial/domestic wastewaters in the region. The plant must soon upgrade and expand to accommodate future flows expected from Base Realignment and Closure (BRAC) activities at Fort Lee and also must reduce its total nitrogen discharge into the James River as a part of the Chesapeake Bay Act-requirements.

City of Newport News, Wastewater Improvements; Newport News, Virginia; \$1,000,000

- This project would make improvements to the Newport News Wastewater system as mandated by the Environmental Protection Agency and the Virginia Department of Environmental Quality under the "Hampton Roads Regional Special Order By Consent."

City of Norfolk, Sewer and Water Infrastructure Improvements; Norfolk, Virginia; \$500,000

- The sanitary sewer and water system serving the residents of the City of Norfolk is, in large part, beyond its useful life and failing in many residential communities. The City of Norfolk is currently operating under a consent order granted by the Environmental Protection Agency and the Virginia Department of Environmental Quality. This mandate requires that improvements must be made to the outdated system in order to provide safe water and sewage services to the citizens in Norfolk and the South Hampton Roads region.

City of Portsmouth, Downtown Area Sewer Upgrades; Portsmouth, Virginia; \$1,000,000

- Requested funding will be used for sewer upgrades to the City of Portsmouth's downtown area. This project is the first phase construction of a sewage pumping station and force main, which will replace a system dating back to 1925.

Rehabilitation of the water and sewer infrastructure is an integral part of Portsmouth's strategy to transform the City. Facing the need for extensive redevelopment and preservation, the City of Portsmouth is among the most fiscally distressed cities in Virginia, with a declining population, lower than area average median family incomes and a limited tax base (56% of its 29 sq. mile land area is non-taxable state or federal property).

City of Suffolk, Water and Sanitary Sewer Extension; Suffolk, Virginia; \$1,000,000

- Funding will be used for the installation of water and sanitary sewer improvements to eliminate failing private septic systems and provide improved water service and fire protection. In addition, the project will assist with the water quality of the James River and Chuckatuck Creeks, which are within the Chesapeake Bay watershed.



The Crittenden/Eclipse neighborhood is served by aging private septic systems and a series of community and private wells that are in violation of drinking water regulations. To improve the quality of life for the residents of Crittenden/Eclipse, the City proceeded with the design of a two phased project. The project extends City sanitary sewer service to the area allowing for the abandonment of failing private septic systems and replaces the existing deteriorated water lines with new 8 and 12-inch water mains to provide for enhanced water pressure, water quality, and fire protection.

County of Caroline, Dawn Wastewater Project; Caroline County, Virginia; \$2,000,000

- The project proposed is an expansion of the existing Dawn Community Decentralized Wastewater System. Phase 1 has recently been completed and put into operation; it serves 180 customers. The expansion project (Phase 2) will provide service to an estimated additional 190 customers. The Dawn area stretches over 55,000 acres and has a critical need for service. There is no public or central wastewater disposal service in this area and it has a high concentration of failed wastewater disposal systems. There are a number of low income homes without any sewage disposal system or indoor plumbing. The area has poor soils with slow percolation rates and seasonal high water tables that further restrict drainfield percolation. A significant number of existing septic tanks and drainfields will require repairs or replacements in the near future. Groundwater is the only source of potable water in this area and due to the problems being encountered with wastewater disposal, further contamination of the area's only water supply is a matter of significant concern. The area has been declared a Public Health Emergency.

The construction of this project would not only eliminate a major health hazard to the community but also protect local state waters and the Chesapeake Bay from further pollution.

County of Fluvanna, James River Water Project; Fluvanna & Louisa, Virginia; \$2,000,000

- Fluvanna County, Louisa County and the Virginia Department of Corrections have collaborated to construct a reliable water supply drawn from the James River to enhance the development of a shared border UDA commercial hub and to solve a critical water shortage at a correctional facility. Funds requested will be used to construct a water treatment plant; and raw and finished water distribution lines.

A regional water system is an appropriate conservation water-management strategy for providing a safe and reliable water source for businesses and residents that minimizes the impact of water withdrawal from smaller tributaries within the watershed.

Town of Onancock, Wastewater Treatment Plant; Onancock, Virginia; \$1,000,000

- Funds will be used for the reconstruction of the town's wastewater treatment system. The existing wastewater treatment system is over 40 years old, is undersized, and is

unable to treat wastewater to new standards for pollutant removal. This system has violated both capacity and pollutant removal requirements and the plant upgrade is required due to new Department of Environmental Quality regulations (DEQ). The reconstructed system will go from 250,000 gallons per day to 750,000 gallons per day, and will employ state of the art pollutant removal technology. In addition to serving the Town of Onancock, this system will have the capacity to serve central Accomack County, where poor soils and failing septic systems limit economic development and jeopardize groundwater resources.

The Town of Onancock's sewer rates are the highest in the state, nearly twice as high as the average in Virginia. The town's current sewer rates exceed the Virginia Clean Water Revolving Loan Fund's guidelines for determining reasonable sewer costs. These increasing sewer rates put considerable strain on the finances of residents and businesses in this fiscally stressed region.

Virginia Department of Environmental Quality, Surprise Hill State Observation Wells; Northumberland County, Virginia; \$500,000

- Two wells are currently under construction to provide a groundwater monitoring station for the Northern Neck of Virginia at the Surprise Hill site in Northumberland County. Funds requested for 2010 are to complete the remaining 7 wells at this station in order to collect real data on all the aquifers. Virginia and Maryland share these aquifers and this is an important link in the State Observation Well Network. This scientific research is essential to providing the basis for management of the region's ground water.

Nearby areas are already known to be at a critical stage of drawdown. The Northern Neck section of the aquifers is largely a blank spot on scientific documents with very little actual data being gathered. It is essential to put in sufficient control points for data collection.

Virginia Department of Environmental Quality, Chesapeake Bay Restoration; Richmond, Virginia; \$10,000,000

- Funds will be used to provide grants through the Virginia Water Quality Improvement Fund to match local funds for nutrient removal upgrades at municipal wastewater treatment facilities. These upgrades are required by the Virginia Pollutant Discharge Elimination System program and the federal Clean Water Act in order to help restore the water quality in the Chesapeake Bay and its tidal rivers.

Increased nitrogen and phosphorus discharges from wastewater treatment plants and polluted runoff throughout the 64,000 square mile watershed causes widespread damage to thousands of local streams and rivers which eventually lead to the Bay. Virtually all of Virginia's portion of the Bay and its tidal tributaries are listed on EPA's 303(d) "Impaired Waters" list due to nutrient-enrichment problems.



Atlantic Rivers Institute, Virginia Commonwealth University; Charles City County, Virginia;  
\$1,000,000

- Phase I of the Atlantic Rivers Institute has been completed with the construction of an Education Building, which is Virginia's first state-owned Platinum LEED building and was funded solely by private donors. The requested funds will be used for lab equipment for Phase II of the initiative – a Research Lab Complex.

Atlantic Rivers Institute is a partnership of Virginia Commonwealth University, the U.S. Fish and Wildlife Services, the Virginia Department of Game and Inland Fisheries and Charles City County. The Rivers Institute will formally coordinate and advance river-related research, education, conservation management, public health and historical-cultural activities with respect to Atlantic coast rivers.

The Institute will foster research and collaborative efforts that lead to the economically and environmentally sustainable management of our nation's rivers, addressing issues such as sport and commercial fisheries management, waterfowl and other wildlife research and management, flood control, control of invasive species, river and floodplain ecology and restoration, watershed management, river recreation, and the economies of river communities.

#### **US Fish and Wildlife Service**

Back Bay National Wildlife Refuge; U.S. Fish and Wildlife Service, Friends of Back Bay;  
\$500,000

- In 1990, the USFWS approved an expansion of Back Bay National Wildlife Refuge by an additional 6,340 acres. This refuge has proven to be a tremendous resource for the growing Tidewater region of Virginia, and funding would be used to acquire additional acreage at the Refuge.

Back Bay is an "Aquatic Resource of National Significance" and provides habitat for fish and wildlife. It also serves as a place for outdoor recreation, including hunting and fishing, for many visitors from all over the United States, who visit the Hampton Roads area. This expansion project has protected the Back Bay watershed from encroaching development in Virginia Beach. There are 3000 acres left to buy to complete the refuge and there are more willing sellers than funding available.

James River National Wildlife Refuge; U.S. Fish and Wildlife Service, The Conservation Fund;  
\$500,000

- The U.S. Fish and Wildlife Service established the James River National Wildlife Refuge in 1991 to protect nationally significant habitat for bald eagles, and today it is one of the East Coast's premier eagle roosting sites. The James River National Wildlife Refuge surrounds the 125-acre Blair's Wharf tract, which features approximately 3,200 feet of shoreline on the James River in Prince George County,

Virginia. We request funding for FWS to acquire this critical inholding within a national wildlife refuge boundary.

Great Dismal Swamp National Wildlife Refuge; U.S. Fish and Wildlife Service, The Conservation Fund; \$1,000,000

- Funds would be used to acquire an identified 50 acres of private property for the United States Fish and Wildlife Service to be used as the construction site of the new visitor's center at the Great Dismal Swamp National Wildlife Refuge.

Great Dismal Swamp National Wildlife Refuge and its visitors contribute over \$12.3 million in direct and indirect spending to the local economy on an annual basis. The current visitor's center is difficult to reach and outdated. This new site will become the hub of outdoor recreation in the area, as it is adjacent to the State of Virginia's Cavalier Wildlife Management Area as well as the City of Chesapeake's Dismal Swamp Canal Greenway trail head and parking lot.

Rappahannock River Valley National Wildlife Refuge; U.S. Fish and Wildlife Service, The Conservation Fund; \$1,000,000

- Funding is requested for the U.S. Fish and Wildlife Service to acquire the 265-acre Bowers tract at Fones Cliff for the Rappahannock River Valley National Wildlife Refuge (RRNWR). This acquisition will provide RRNWR the opportunity to create hiking trails, provide historic interpretation relating to the Captain John Smith National Water Trail, and ensure public access to the spectacular Fones Cliff area.

The Rappahannock River is nationally recognized as one of the least-spoiled rivers in the Chesapeake Bay Watershed and provides some of the most critical waterfowl habitats on the entire Atlantic Coast. The Bowers property features important habitat for the bald eagle and bald eagle experts commonly refer to Fones Cliff as a bald eagle "bull's eye". The property is within Audubon's Lower Rappahannock Globally Important Bird Area.

The Bowers property also has significant historic characteristics, with documentation of Captain John Smith's travels at Fones Cliff. The acquisition of the Bowers tract provides RRNWR with the unique opportunity to offer cultural and historical interpretation to the public. If acquired, RRNWR intends to install trails and signage to educate the public not only about the natural resources of the property, but also the historic ones as well.

Virginia Department of Environmental Quality; Shenandoah and James River Fish Kill Investigation; \$325,000

- The Commonwealth of Virginia, through its Shenandoah River Fish Kill Task Force, has studied multiple fish kills of smallmouth bass and other assorted sunfish on the North and South forks of the Shenandoah River. Characterized by lesions and sores, and with a mortality rate of up to 80%, these fish kills have had negative impacts on the Shenandoah's ecosystem, as well as the local tourism and recreation economy. In 2007 and 2008, similar fish kills in the upper James River basin occurred, suggesting



that the problem has now moved beyond the upper Potomac (Shenandoah) basin. Fish kills in the Shenandoah and upper James River systems during 2007 and 2008 affected well over 200 miles of these rivers.

This Task Force, led by the Virginia Department of Environmental Quality and the Virginia Department of Game and Inland Fisheries, with technical support from the U.S. Geological Survey and U.S. Fish and Wildlife Service, has studied these kills and, thus far, has been unable to determine their cause. It is imperative that the Commonwealth be able to continue these studies so that these fish kills may be further understood and hopefully prevented in the future.

### **U.S. Forest Service**

Chowan River Headwaters/Forest Legacy; Virginia Department of Conservation and Recreation and Virginia Department of Forestry, The Nature Conservancy; \$2,000,000

- The Commonwealth of Virginia will utilize funds to conserve over 3,500 acres within the Chowan River watershed near the Virginia and North Carolina state lines. This multi-agency project will protect 3,517 acres and 10 miles of river frontage through acquisition of four conservation easements. Project tracts are situated along the Blackwater and Nottoway rivers, headwaters to the Chowan River and key tributaries to the Albemarle/Pamlico Sound ecosystem, the second largest estuarine area in the United States. Acquisitions will help link 20,000 acres of existing conservation lands across the North Carolina border and include an easement over a 2,900-acre tract supporting the largest northern-most stand of native longleaf pine, a longstanding conservation priority for Virginia.

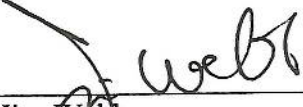
The project supports the goals of the Albemarle-Pamlico National Estuarine Program, established in 1987 by the Environmental Protection Agency to conserve the estuary's natural resources in Virginia and North Carolina. Additionally, this proposal builds on the progress of a FY 08 Forest Legacy Project (titled the "Nottoway River Pinelands Project") centered along another highly significant upstream stretch of the Nottoway River.

The project area was identified by the Department of Conservation as one of only three sites of "outstanding" ecological significance in the entire coastal zone of eastern Virginia. The 870 acres of forested wetlands in the project provide critical stopover habitat for migratory birds along the Atlantic Flyway and their protection furthers several national bird conservation initiatives.

I certify to the best of my knowledge that neither I, nor my immediate family, has a pecuniary interest in any of the congressional directed spending items requested, consistent with the requirements of paragraph 9 of Rule XLIV of the Standing Rules of the Senate. I further certify that I have posted a description of the items requested on my official website, along with the accompanying justification.

I appreciate your consideration of these important initiatives and look forward to working closely with you on behalf of the citizens of the Commonwealth of Virginia. Should you or your staff have any questions regarding these requests please do not hesitate to contact my office. Thank you for your consideration of these requests.

Sincerely,

  
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Jim Webb  
United States Senator